



TOWN CLERK'S RECORD

**October 27, 2014 Special Town Meeting
Wellesley Middle School
50 Kingsbury Street
Wellesley MA**

October 28, 2014

In pursuance of a Warrant dated September 30, 2014 the duly elected Town Meeting Members proceeded as follows:

The Moderator, Margaret Metzger, called the Special Town Meeting to order at 7:30 P.M. in the Wellesley Middle School Auditorium at 50 Kingsbury Street, Wellesley MA. The Moderator declared a quorum present.

The Town Clerk, Kathleen F. Nagle, announced the appointment and election of four Town Meeting Members replacing former members who have resigned. Precinct A elected Susan Frigoletto and Suzanne Newman, Precinct G elected Kenneth McGraine and the Town Clerk appointed Precinct H member Ellen Korpi. Each of these member's terms will expire at the Annual Town Election of March 2015.

The Town Clerk then read the Officer's Return of the Service of the Warrant.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The checklist of Town Meeting Members showed there were 212 members present. Only 121 were needed for a quorum.

The duly elected Town Meeting Members were segregated from the other voters of the Town by occupying the front section of the auditorium, and were in the charge of a detail of police. Entrance to the enclosure was through one door, and each Town Meeting Member was checked from the official list of members before being admitted to the enclosure.

Several elected and appointed town officers and staff, and guests of Town Meeting were seated within this area by permission of the Moderator, but did not vote. Each such non-member was issued an identifying badge.

The following tellers were appointed by the Moderator to assist in counting a standing vote or a ballot vote: Head Tellers, Amie Smith and Trina Foster, assisted by Susan Clapham, Arthur Garrity, Dona Kemp, Arthur Priver, Marijane Touhy and Bob White.

The Moderator expressed appreciation to the attendance checkers: Phil Rolph, Jim Corscadden, Joseph Hanlon and Bob McCarthy.

Refreshments at the break are to be provided by the Wellesley High Sophomore Class and the Wellesley High School Key club for this Special Town Meeting.

The Moderator explained the rules and regulations of the Town Meeting and the power and duties of the Moderator in connection with the conduct of the meeting.

The Moderator informed the meeting that unless objections were raised, the meeting would dispense with the reading of the Warrant. No objections were raised and the meeting proceeded.

ARTICLE 1. To choose a Moderator to preside over said meeting and to receive reports of town officers, boards and committees, and discharge presently authorized special committees; or take any other action in relation thereto.

No motion offered.

ARTICLE 2. To receive the Report of the Board of Selectmen on the Five Year Capital Budget Program and Town-Wide Financial Plan pursuant to Town Bylaw Sections 19.5.2 and 19.16; or take any other action in relation thereto.

The Advisory Committee report and supplement was submitted.

ARTICLE 3. To see if the Town will vote to rescind the unused portion of the appropriation authorized under Motion 1 of Article 5 of the Warrant for the October 20, 2008 Special Town Meeting for construction of the new Wellesley High School, or take any other action in relation thereto.

Barbara Searle, Precinct A, Board of Selectmen offered a motion. Hans Larsen, Executive Director of General Government, offered a review of the Town Wide Financial Plan updated to include FY 14 actuals and the 5 Year Capital Plan.

VOTED, unanimously, to rescind the borrowing authorized for the following article:

| | | | |
|--------------|---------|---------------|-------------|
| Town Meeting | Project | Authorization | Total to be |
|--------------|---------|---------------|-------------|

| Vote | | | Rescinded |
|----------------------------------|--------------------------|---------------|--------------|
| STM 10/20/2008 Article 5, 1&2 | Construct High School | \$123,583,000 | \$22,966,866 |

ARTICLE 4. To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to reimburse the School Department for expenses incurred during planning for replacement of certain Middle School windows; or take any other action in relation thereto.

Patricia Quigley, Precinct D, School Committee Chair, offered a motion. Tere Ramos, School Committee, and Matt King, PBC, spoke in support of the motion.

After presentations on the motion the Town Meeting recessed at 8:50 pm. The Meeting resumed at 9:05 pm.

After additional discussion it was

VOTED, unanimously, that the Town vote to transfer the sum of \$125,000 (One Hundred Twenty-Five Thousand Dollars) from Free Cash, certified as of June 30, 2014, to the School Committee for expenses incurred in planning for replacement of certain Middle School windows.

ARTICLE 5. To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of Permanent Building Committee for work associated with the replacement of approximately 280 original windows (circa 1950-1966) at Wellesley Middle School located at 40 Kingsbury Street in Wellesley, Massachusetts. This proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA’s Board of Directors votes to approve this proposed repair project, any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 31 percent (31%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.; or to take any other action in relation thereto.

Patricia Quigley, Precinct D, School Committee offered the following motion, which was

VOTED, by declared voice vote, 2/3 required, that the Town appropriate the amount \$4,909,300 (Four Million Nine Hundred and Nine Thousand Three Hundred Dollars) for the

purpose of paying costs associated with the replacement of approximately 280 original windows (circa 1950-1966) at Wellesley Middle School located at 40 Kingsbury Street in Wellesley, Massachusetts, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Permanent Building Committee. To meet this appropriation the Treasurer is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½); and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA.

ARTICLE 6. To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of the Permanent Building Committee for architectural, engineering and/or other services for plans and specifications for renovations to the Fiske and Schofield Elementary Schools, located at 45 Hastings Street and 27 Cedar Street respectively, for the reconstruction, remodeling, and/or additions to the existing Fiske and Schofield Elementary Schools, to accommodate the classroom and/or administrative needs of the School Department and/or other educational needs of the Town; and for the necessary site work, construction, reconstruction, remodeling, rehabilitation and/or modernization of the same; and for other services in connection therewith; or take any other action in relation thereto.

K C Kato, Precinct D, School Committee offered a motion. Matt King, PBC Spoke in support of the motion.

VOTED, Unanimously, 2/3 required, that the Town vote to appropriate the sum of \$19,634,824 (Nineteen Million Six hundred Thirty-Four Thousand Eight Hundred Twenty-Four Dollars) to be expended by the Permanent Building Committee for the construction, reconstruction, remodeling, rehabilitation, modernization and additions to the Fiske and Schofield Elementary Schools, to accommodate the classroom, administrative and other educational needs of the Town, including the payment of all costs incidental or related thereto; that, in order to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$19,634,824 (Nineteen Million Six hundred Thirty-Four Thousand Eight Hundred Twenty-Four Dollars) under M.G.L. Chapter 44, or any other enabling authority; and that the Permanent Building Committee be authorized to take all actions necessary or convenient to carry out this project; provided, however, that this appropriation and debt authorization be

contingent upon passage of a Proposition 21/2 debt exclusion referendum under M.G.L. c.59, §21C(k).

ARTICLE 7. To see if the Town will vote to acquire by purchase, gift, eminent domain, or otherwise, for municipal purposes, the real property located at 156 Weston Road, being further identified as Parcel No. 5 on Assessor's Map No. 149 and commonly known and referred to as the "North 40"; to raise and appropriate, borrow, transfer from available funds, including Community Preservation Funds, and/or otherwise provide a sum of money for such acquisition and for such planning and managerial undertakings as the Board of Selectmen determine to be necessary in relation to the Town's ownership of the Property, both of which include due diligence, further planning studies, site work, necessary traffic studies, and any other costs associated with said purposes; or take any other action in relation thereto.

No motion offered.

ARTICLE 8. To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of the Board of Selectmen to prepare the Town for: 1) the potential acquisition or development by entities other than the Town of the real property located at 156 Weston Road, being further identified as Parcel No. 5 on Assessor's Map No. 149 and commonly referred to as the "North 40" site; and, 2) any evaluation or remediation of the landfill located on the "North 40"; said preparation to include conducting planning, traffic, environmental and other studies, engaging counsel, consultants and experts as deemed appropriate, and participating in any evaluations or response actions associated with the landfill, in accordance with Massachusetts General Laws Chapter 21E, the Massachusetts Contingency Plan, and any additional requirements of the Massachusetts Department of Environmental Protection; or take any other action in relation thereto.

Donald McCauley, Precinct A, Board of Selectmen, offered the following motion, which was

VOTED, by declared voice vote, that the Town vote to transfer the sum of \$150,000 (One Hundred Fifty Thousand Dollars) from Free Cash, certified as of June 30, 2014, to the Board of Selectmen to be used 1) to prepare the Town for the potential acquisition or development, by entities other than the Town, of the real property located at 156 Weston Road, being further identified as Parcel No. 5 on Assessor's Map No. 149 and commonly referred to as the "North 40" site; and, 2) for any evaluation of the landfill located on the "North 40"; said purposes to include conducting planning, traffic, environmental and other studies, engaging counsel, consultants and experts as deemed appropriate, and participating in any evaluations or response actions associated with the landfill, in accordance with M.G.L. Chapter 21E, the Massachusetts Contingency Plan, and any additional requirements of the Massachusetts Department of Environmental Protection.

At 10:45 the moderator entertained a motion to adjourn.

VOTED, Unanimously, that when this Town Meeting adjourns, it does so until

October 28, 2014 at 7:30 p.m. in this same hall.

The meeting adjourned at 10:45 pm.

Attest:

Kathleen F Nagle
Town Clerk

CERTIFICATE OF NOTICE
OF ADJOURNED SPECIAL TOWN MEETING



October 28, 2014
Wellesley, MA

I hereby certify that notice that the Town Meeting would adjourn from October 27, 2014 to October 28, 2014 at 7:30 pm at the Wellesley Middle School was voted unanimously by the Town Meeting at the close of the session of October 27, 2014. A notice was posted on the town website (www.wellesleyma.gov) and in the Town Hall at the office of the Town Clerk on October 28, 2014.

AND FURTHER, said notice of adjournment were emailed to all Town Meeting Members who have provided email addresses to the town clerk (234).

Attest:

Kathleen F. Nagle
Town Clerk



TOWN CLERK'S RECORD

October 27, 2014 Special Town Meeting

**Session #2 October 28, 2014
Wellesley Middle School
50 Kingsbury Street
Wellesley MA**

October 29, 2014

The second session of the October 27, 2014 Special Town Meeting adjourned from October 27, 2014 was held this evening at the Wellesley Middle School Auditorium. The Moderator, Margaret Ann Metzger, called the meeting to order at 7:30 P.M. The Moderator declared a quorum present.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The checklist of Town Meeting Members showed there were 194 members present. Only 121 were needed for a quorum.

The duly elected Town Meeting Members were segregated from the other voters of the Town by occupying the front section of the auditorium, and were in the charge of a detail of police. Entrance to the enclosure was through one door, and each Town Meeting Member was checked from the official list of members before being admitted to the enclosure.

Several elected and appointed town officers and staff, and guests of Town Meeting were seated within this area by permission of the Moderator, but did not vote. Each such non-member was issued an identifying badge.

The following tellers were appointed by the Moderator to assist in counting a standing vote or a ballot vote: Head Tellers, Amie Smith and Trina Foster, assisted by Susan Clapham, Arthur Garrity, Dona Kemp, Maggie Mulqueen, Arthur Priver, and Bob White.

ARTICLE 9. To see if the Town will vote to amend its vote under Motion 1 on Article 2 of the Warrant for the June 13, 2012 Special Town Meeting and its vote under Motion 1 on Article 18 of the 2014 Annual Town Meeting, both of which concern the acquisition of the property located at 900-910 Worcester Street, being further identified as Parcels No. 10 and 10-T on Assessor's Map No. 192 and commonly known and referred to as 900 Worcester Street, in the following manner: 1) to rescind all appropriations from the Community Preservation Fund and transfer a sum of money from available funds to reimburse the Fund for any expenditures against such appropriations; 2) to rescind the requirement that a portion of the property be placed under one or more conservation restrictions and to rescind the requirement that the entire property be restricted to municipal purposes for 40 years; and 3) to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of the Board of Selectmen for the purposes of acquiring the property and preparing the property for development, including, but not limited to, the cost of demolition of any existing structures and other site work, necessary traffic studies, further planning and initial site design, and any other costs associated with said purposes, including the payment of real estate taxes until the date of closing; to authorize a further amendment to the Purchase & Sale Agreement in connection therewith; or to take any other action in relation thereto.

Motion 1. Donald McCauley, Precinct A, Board of Selectmen offered the following motion. Andy Wrobel chairman of the 900 Worcester Street Committee and Barbara McMahon, Chair of the CPC spoke in support of the motion, which was:

VOTED, by declared voice vote, 2/3 required, that the Town vote to approve the Fourth Amendment to the Purchase and Sale Agreement, dated October 8, 2014, for the acquisition of real property located at 900-910 Worcester Street is hereby approved; and To appropriate the sum of \$876,694 (Eight Hundred Seventy-Six Thousand, Six Hundred Ninety-Four Dollars) to be added to the amounts appropriated under Article 2 of the June 13, 2012 Special Town Meeting (\$4,160,000) and under Article 18 of the 2014 Annual Town Meeting (\$47,000), so that the total amount appropriated for said acquisition and related costs is \$5,083,694 (Five Million, Eighty-Three Thousand, Six Hundred Ninety-Four Dollars); and to amend the vote taken under said article 2 by inserting the words "and feasibility" after the words "necessary traffic" so that the funding thereby authorized may be used for acquisition of the property, demolition of existing structures thereon and other site work, necessary traffic and feasibility studies, and any other incidental or related costs; that, in order to meet this appropriation, the Treasurer with approval of the Board of Selectmen is authorized to borrow \$876,694 (Eight Hundred Seventy-Six Thousand Six Hundred Ninety-Four Dollars) pursuant to M.G.L. Chapter 44 or any other enabling authority.

The meeting recessed at 8:50 pm and resumed at 9:05 pm.

Article 9 Motion 2. Donald McCauley, Precinct A, Board of Selectmen offered the following motion which was

VOTED, by declared voice vote, 2/3 required, that the Town vote:

- (a) To rescind the transfer of \$2,600,000 (Two Million, Six Hundred Thousand Dollars) authorized by Motion 1 of Article 2 the June 13, 2012 Special Town Meeting from the Community Preservation Fund (\$700,000 Open Space, \$1,900,000 unreserved balances on hand) for the acquisition of the real property at 900-910 Worcester Street and related costs; and
- (b) To appropriate the sum of \$2,600,000 (Two Million, Six Hundred Thousand Dollars) for the acquisition of real property located at 900-910 Worcester Street, commonly known and referred to as the Saint James The Great site, including the cost of demolishing the existing structures thereon and other site work, necessary traffic studies, and any other incidental or related costs associated with the acquisition, said property being further identified as:
900-910 Worcester Street: Parcels No. 10 and 10-T on Assessor's Map No. 192, now or formerly owned by Roman Catholic Archbishop of Boston, see deed recorded in Norfolk Registry of Deeds Book 2654, Page 459; and

that to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow \$2,600,000 under M.G.L. Chapter 44 or any other enabling authority; and

- (c) that the Town vote to transfer the sum of \$198,132 (One Hundred Ninety-Eight Thousand One Hundred Thirty-Two Dollars) from Free Cash, certified as of June 30, 2014, to the Community Preservation Fund to return all amounts expended from said Fund for the foregoing purposes.

ARTICLE 10. To act on the report of the Community Preservation Committee and, pursuant to the provisions of Chapter 44B of the General Laws, to appropriate funds or amend previous appropriations from the Community Preservation Fund annual revenues or available funds for the undertaking of community preservation projects, the payment of debt service, and all other necessary and proper expenses for the year; or take any other action in relation thereto.

No motion offered.

ARTICLE 11. To see if the Town will vote to authorize the Board of Selectmen to enter into one or more leases of privately owned office space within the Town of Wellesley for the Facilities Maintenance Department; to raise and appropriate, transfer from available funds, and/or otherwise provide a sum of money for said purpose; or take any other action in relation thereto.

David Murphy, Precinct B, Board of Selectmen, offered the following motion, which

FAILED, by declared voice vote in the negative, that the Town vote to transfer the sum of \$84,500 (Eighty-Four Thousand Five-Hundred Dollars) from Free Cash, certified as of June 30, 2014, to the Facilities Maintenance Department for the lease of office space, furnishings and equipment.

The moderator thanked the elected and appointed boards and committees and staff members who contributed to the preparation for this meeting. She acknowledged the work of the current Advisory Committee, Chair Andy Patten, Vice Chairs Anne Rappaport and John Hartnett, Secretary Mason Smith and members John Hussey, Lucy Kapples, Mary Crown, Tom Frisardi, Scott Tarbox, Chad Harris, Michael Mastrianni, Frank Pinto, Lon Povich and Kathleen Woodward. The Town Meeting showed their appreciation by applause.

Motion to dissolve was VOTED, unanimously.

The Meeting dissolved at 10:25 pm.

Attest:

Kathleen F. Nagle
Town Clerk